

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of the)	
)	
Federal-State Joint Board on Universal Service)	CC Docket No. 96-45
)	
Telecommunications Carriers Eligible for)	WC Docket No. 09-197
Universal Service Support))	
)	
Head Start Telecom, Inc. Petition for Forbearance)	
from 47 U.S.C. § 214(e)(1)(A))	

HEAD START TELECOM, INC'S COMPLIANCE PLAN

Head Start Telecom, Inc. ("Head Start Telecom" or the "Company"), by its attorney, hereby files its plan outlining the measures it will take to implement the conditions imposed by the Federal Communications Commission ("Commission") in its recent Order, released July 30, 2010, in the above-captioned matter.¹ Given the severe economic environment that is forcing many lower income customers to forego wireless service, Head Start Telecom respectfully requests expeditious approval of this plan so that the Company, upon designation as an Eligible Telecommunications Carrier ("ETC"), may quickly deploy much-needed Lifeline services to many low-income customers.

BACKGROUND

The Commission's *Order* conditionally granted Head Start Telecom's request for forbearance from the Section 214(e)(1)(A) requirement that a carrier designated as an ETC for purposes of federal universal service support provide services, at least in part, over its own facilities, stating Head Start Telecom may seek ETC designation to offer discounted services to qualified low-income consumers through the universal service Lifeline program."²

The Commission's grant of forbearance is subject to the following conditions: (a) Head Start Telecom providing its Lifeline customers with 911 and Enhanced 911 (E911) access regardless of

¹ See *Federal-State Joint Board on Universal Service; In the Matter of Head Start Telecom, Inc. Petition for Forbearance*, Order, FCC 10-134, (released July 30, 2010) ("Order").

² Order at ¶ 20.

activation status and availability of prepaid minutes; (b) Head Start Telecom providing its Lifeline customers with E911-compliant handsets and replacing, at no additional charge to the customer, noncompliant handsets of existing customers who obtain Lifeline-supported service; (c) Head Start Telecom complying with conditions (a) and (b) as of the date it provides Lifeline service; and (d) Head Start Telecom obtaining a certification from each PSAP where the carrier seeks to provide Lifeline service confirming that the carrier provides its customers with 911 and E911 access or self-certifying that it does so if certain conditions are met; (e) Head Start Telecom requiring each customer to self-certify at time of service activation and annually thereafter that he or she is the head of household and receives Lifeline-supported service only from Head Start Telecom; (f) Head Start Telecom establishing safeguards to prevent its customers from receiving multiple Lifeline subsidies from Head Start Telecom at the same address; and (g) Head Start Telecom dealing directly with the customer to certify and verify the customer's Lifeline eligibility.³ The Commission required Head Start Telecom to submit a plan describing the measures it would take to implement each one of these conditions within 30 days of the release of the Order.⁴

COMPLIANCE PLAN

Head Start Telecom will comply with all conditions set forth in the *Order*, the provision of this Compliance Plan, and all laws and regulations governing its provision of Lifeline-supported prepaid wireless service to customers throughout the United States.

I. Access to 911 and E911 Services

In the *Order*, the Commission required Head Start Telecom to provide its Lifeline customers with access to 911 and E911 services immediately upon activation of service, and stated that, in order to demonstrate compliance with the condition Head Start Telecom must obtain certification from each PSAP where it provides Lifeline service confirming that its customers receive 911 and E911 services. If within 90 days of Head Start Telecom's request, a PSAP has neither provided the

³ See *Order* at ¶¶ 11, 16.

⁴ *Id.*

certification nor made an affirmative finding that the Company does not provide its customers with 911 and E911 services within the applicable service area, the *Order* allowed Head Start Telecom to self-certify that it meets the requirements.⁵ The Commission and consumers are hereby assured that all Head Start Telecom customers will have available access to emergency calling services at the time that Lifeline service is initiated, and that such 911 and E911 access will be available from Head Start Telecom handsets, even if the account associated with the handset has no minutes remaining.

Head Start Telecom can ensure the Commission that all Lifeline customers will have meaningful access to emergency calling services at the time the customer activates Lifeline service, and that such access will continue regardless of the customer's account status or the availability of prepaid minutes. The Company's existing practices currently provide access to 911 and E911 services to the extent that these services have been deployed by its underlying carrier. Head Start Telecom also currently enables 911 emergency calling services for all properly activated handsets regardless of whether the account associated with the handset is active, suspended or terminated. Finally, the Company transmits all 911 calls initiated from any of its handsets even if the account associated with the handset has no remaining minutes.

To satisfy the conditions of the *Order* regarding 911 and E911 services, Head Start Telecom will confirm that its underlying carrier has deployed E911 services in a specific PSAP territory. Head Start Telecom will obtain the requisite certification from each PSAP where it provides Lifeline service confirming that its customers receive 911 and E911 services.⁶ If within 90 days of receiving the Company's request, a PSAP has neither provided such certification nor made an affirmative finding that Head Start Telecom does not provide its customers with 911 and E911 services within the applicable service area, Head Start Telecom will self-certify that it meets the basic and E911 requirements.

⁵ See *Order* at ¶ 13.

⁶ A form of this PSAP certification request is attached hereto as Exhibit A.

II. E911-Compliant Handsets

The Commission also conditioned its grant of forbearance on Head Start Telecom providing only E911-compliant handsets to its Lifeline customers⁹. Head Start Telecom will ensure that all handsets used in connection with the Lifeline service offering will be E911-compliant. In the event that an existing customer does not have an E911-compliant handset, the Company will replace it with a new 911/E911-compliant handset at no charge to the customer. Any new customer that qualifies for and enrolls in the Lifeline program is assured of receiving a 911/E911-compliant handset as well, free of charge.

III. Certification of Lifeline Customers' Eligibility

To safeguard against misuse of the Lifeline service plan, the *Order* required Head Start Telecom to deal directly with the customer and require each customer to self-certify, under penalty of perjury, at time of service activation and annually thereafter that they are the head of household and receive Lifeline-supported service only from Head Start Telecom. The Commission also required Head Start Telecom to establish safeguards to prohibit more than one supported Head Start Telecom service at each residential address¹¹. Head Start Telecom proposes the following plan to implement these certification and verification conditions:

A. Policy

Head Start Telecom will comply with all certification and verification requirements for Lifeline eligibility established by states where it is designated as an ETC. In states where there are no state imposed requirements, Head Start Telecom will comply with the certification and verification procedures in effect in that state as reflected on the website of the Universal Service Administration Company. However, for any states which do not mandate Lifeline support and/or which do not have established rules of procedure in place, Head Start Telecom will certify at the outset and will verify annually consumers' Lifeline eligibility in accordance with the Commission's requirements.

B. Certification Procedures

Head Start Telecom will implement certification procedures that enable consumers to demonstrate their eligibility for Lifeline assistance by contacting Head Start Telecom via telephone, facsimile, or the Internet. Consumers will be directed to a toll-free telephone number and to Head Start Telecom's website, which will contain a link to information regarding the Company's Lifeline service plan, including a detailed description of the program and state-specific eligibility criteria. Head Start Telecom understands and accepts the Commission's requirement that the Company have direct contact with all customers applying for participation in the Lifeline program. Retailers will have no role in the Lifeline application process, other than to provide customers with printed information regarding the program.

Consumers will be required to call a toll-free number to complete an application over the phone. The application will then be mailed to the customer for signature, under penalty of perjury, and for the submission of supporting documentation. The signed application and supporting documentation must be mailed to the address provided by the Company. Processing of consumers' applications, including review of all application forms and relevant documentation, will be performed under Head Start Telecom's supervision by managers experienced in the administration of the Lifeline program.

Head Start Telecom will insure that all required documentation is taken care of properly by using state-specific compliance checklists. In addition, the Lifeline application form will include a certification section where the applicant must attest and sign under penalty of perjury that the applicant meets the relevant eligibility criteria. For states with program-based eligibility criteria, the form will list each of the qualifying programs, and the applicant will be required to identify the program(s) in which they participate. For states with income-based eligibility criteria, the applicant will be required to certify under penalty of perjury that their household income does not exceed the relevant threshold (*e.g.*, 135% of the Federal Poverty Guidelines for federal default states) and will

be required to provide proof of income-based eligibility. Applicants will also be required to certify under penalty of perjury that they are head of their household and receive Lifeline-supported service only from Head Start Telecom. Penalties for perjury will be clearly-stated on the certification form, as required by the *Order*.

Finally, the application forms will require each applicant to provide their name, primary residential address and an alternate telephone number (if any). Head Start Telecom will incorporate this information into its customer information database. The Company will check the name and address of each Lifeline applicant against its database to determine whether or not it is associated with a customer that already receives Head Start Telecom Lifeline service, and will then review the application to ascertain whether the applicant is attempting to receive Lifeline-supported service for more than one handset associated with the address. Head Start Telecom will deny the Lifeline application of any such individual and advise the applicant of the basis for the denial. Head Start Telecom shares the Commission's concern about abuse of the Lifeline program and is thus committed to the safeguards stated herein, with the belief that the procedures it will implement will prevent Head Start Telecom customers from engaging in such abuse.

C. Verification Procedures

As required by the Commission's *Order*, Head Start Telecom will require every consumer enrolled in the Lifeline program to verify on an annual basis that they are the head of their household and only receive Lifeline service from Head Start Telecom. Head Start Telecom will notify each participating Lifeline consumer on the anniversary of their enrollment that they must confirm their continued eligibility in accordance with the applicable requirements. Such verification will be required in order for the consumer to continue to purchase prepaid airtime from Head Start Telecom at the discounted rate only available to those customers who are enrolled in its Lifeline program.

CONCLUSION

Head Start Telecom submits that its Compliance Plan fully satisfies the conditions set forth in the Commission's *Order* granting forbearance to the Company. Implementation of the procedures described herein will promote public safety and should ensure that Lifeline customers have access to 911 and E911 services while safeguarding against misuse of the Company's Lifeline services. Accordingly, Head Start Telecom respectfully requests that the Commission approve its Compliance Plan so that Head Start Telecom may begin providing the benefits of much-needed Lifeline service to qualifying low-income consumers.

Respectfully submitted,

HEAD START TELECOM, INC.



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Its Counsel

August 20, 2010

EXHIBIT A

PSAP CERTIFICATION REQUEST

[Date]

Public Safety Answering Point Coordinator

[Address]

Re: Request for PSAP Certification for Lifeline Participation

Dear PSAP Coordinator:

This is to inform you that Head Start Telecom, Inc. ("Head Start Telecom"), has been designated an Eligible Telecommunications Carrier ("ETC") by the Federal Communications Commission ("FCC") for the purpose of offering reduced-cost service to low-income customers in the state of [State] under the federal Lifeline program. (See attached FCC Order _____ released _____.)

Lifeline ensures that low-income customers have access to quality telephone service at a reasonable, affordable rate, and Head Start Telecom is pleased to be among the wireless carriers offering Lifeline service to low-income customers, particularly during this difficult economic environment.

The FCC's approval for Head Start Telecom to offer Lifeline service was conditional upon the following requirements: (1) offer 911 and enhanced 911 (E911) access immediately upon activation of service, and (2) provide its new Lifeline customers with E911-compliant handsets and replace, at no additional charge to the customer, noncompliant handsets of existing customers who subscribe to Lifeline service. The FCC further required that Head Start Telecom seek certification from each Public Safety Answering Point ("PSAP") where Head Start Telecom intends to offer Lifeline service confirming that Head Start Telecom provides its customers with 911 and E911 access. Head Start Telecom is seeking this certification from your PSAP based on the information provided in this letter and any additional information you may request.

Head Start Telecom's wireless services will operate on a national carrier's network. The national carrier has completed the deployment of facilities necessary to offer Phase I and/or II E911 services in your service area, providing our carrier partner and Head Start Telecom customers with 911 and E911 access. Head Start Telecom's Lifeline customers will enjoy this same access to 911 and E911 service once activated for service, regardless of activation status or availability of prepaid airtime. As required by the FCC, all Head Start Telecom handsets will comply with applicable federal requirements governing the provision of 911 and E911 service. Head Start Telecom will provide new Lifeline customers with E911-compliant handsets and, for existing customers who subscribe to Lifeline service, will verify that their handsets are E911-compliant or replace the handset at no charge to the customer.

For your convenience, enclosed is a certification form for your review and signature as PSAP Coordinator. Please return the signed certification form in the self-addressed stamped envelope. As required by the FCC, Head Start Telecom will keep the certification on file in the event the FCC seeks to review this documentation. **If within 90 days of receipt of this letter, you do not provide the certification or make an affirmative finding that Head Start Telecom does not provide its customers with 911 and E911 service in your area, Head Start Telecom is permitted to self-certify compliance with the requirements for 911 and E911 access for this PSAP.**

(See FCC Order _____ at para. ____.)

Should you have any questions about the foregoing, please contact us at scott.cathey@headstarttelecom.com. Please be sure to include your name and address in the email.

Thank you in advance for your cooperation and for enabling Head Start Telecom to offer Lifeline service to low income customers in your PSAP jurisdiction.

Sincerely,


Head Start Telecom, Inc.

**Head Start Telecom Lifeline Program
PSAP Certification Form**

State of _____

PSAP Name: _____

PSAP Coordinator Name: _____

Business Address: _____

PSAP Jurisdiction Description: _____

In my capacity as the Coordinator for the Public Safety Answering Point ("PSAP") described above, I am responsible for the implementation of 911 and Enhanced 911 ("E911") service in accordance with the rules and regulations of the Federal Communications Commission ("FCC").

I have been informed by Head Start Telecom, Inc. ("Head Start Telecom") that, by Order dated _____, the FCC has designated Head Start Telecom as an Eligible Telecommunications Carrier ("ETC") pursuant to Section 214(e)(6) of the Communications Act of 1934, as amended (47 U.S.C. § 214(e)(6)), for the limited purpose of providing Lifeline service in [State], among other states. I have further been informed that the FCC's designation of Head Start Telecom as an ETC is subject to certain conditions; including a condition that Head Start Telecom must obtain certification from each PSAP where it will offer Lifeline service that Head Start Telecom customers will have 911 and E911 access immediately upon activation of service.

In connection with its request for certification by the PSAP, Head Start Telecom has provided certain information. I have been informed by Head Start Telecom that its wireless service operates on the (national carrier) network. Head Start Telecom has indicated that its Lifeline customers will have the same access to 911 and E911 service as the retail customers of (national carrier). In addition, Head Start Telecom has represented that its Lifeline handsets will comply with the FCC Order requiring that the handsets be capable of accessing 911 and E911 service regardless of activation status or availability of prepaid airtime.

Upon information and belief, in my capacity as PSAP Coordinator, I hereby certify that Head Start Telecom has provided evidence that it is complying with the FCC requirement that it provide customers with access to basic and E911 service immediately upon activation of Lifeline service.

Dated:

Signature of PSAP Coordinator